

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Loria H. Thomas,	)	C/A NO. 3:11-32-CMC-PJG
	)	
	)	
Plaintiff,	)	
	)	<b>OPINION and ORDER</b>
v.	)	
	)	
UCI Medical Affiliates, Inc.,	)	
	)	
Defendants.	)	
_____	)	

This matter is before the court on Plaintiff's complaint, asserting employment discrimination claims against the above-listed Defendant.<sup>1</sup>

In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2)(g), DSC, this matter was referred to United States Magistrate Judge Paige J. Gossett for pre-trial proceedings and a Report and Recommendation ("Report"). On August 31, 2011, the Magistrate Judge issued a Report recommending that Defendant's motion to dismiss be granted unless Plaintiff sought to file an amended complaint stating a viable claim for relief. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if she failed to do so. In response to the Report, Plaintiff filed a motion to amend her complaint on September 28, 2011.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court.

---

<sup>1</sup>At the time the complaint was filed, Plaintiff was proceeding *pro se*. However, she has since retained counsel, who made an appearance in this matter on September 13, 2011.

*See Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b).

Plaintiff has filed a proposed amended complaint which states causes of action for alleged violation of the Americans with Disabilities Act (ADA), the Family and Medical Leave Act (FMLA), and retaliation. *See* ECF No. 47-1 (filed Sept. 28, 2011). Therefore, the court adopts the Report of the Magistrate Judge, denies Defendant's motion to dismiss (ECF No. 19), grants Plaintiff's motion to amend (ECF No. 47), and returns this matter to the Magistrate Judge for further pretrial proceedings.<sup>2</sup>

**IT IS SO ORDERED.**

s/ Cameron McGowan Currie  
CAMERON MCGOWAN CURRIE  
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina  
October 4, 2011

---

<sup>2</sup>Plaintiff's motion for extension of time (ECF No. 37) is **moot**.